

Article 1: Base Zones
Division 2: Open Space Base Zones

§131.0201 through §131.0220 [No Change]

§131.0222 Use Regulations Table for Open Space Zones

The uses allowed in the open space zones are shown in Table 131-02B.

Legend for Table 131-02B [No Change]

Table 131-02B
Use Regulations Table of Open Space Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st & 2nd >> 3rd >> 4th >>	OP-		OC-	OR- ⁽¹⁾		OF- ⁽¹¹⁾
		1-	2-	1-	1-		1-
		1	1	1	1	2	1
Open Space through Institutional [No Change]							
Retail Sales							
Building Supplies & Equipment		-	-	-	-		-
Food, Beverages and Groceries		-	-	-	-		-
Consumer Goods, Furniture, Appliances, Equipment		-	-	-	-		-
Pets & Pet Supplies		-	-	-	-		-
Sundries, Pharmaceuticals, & Convenience Sales		-	-	-	-		-
Wearing Apparel & Accessories		-	-	-	-		-
Separately Regulated Retail Sales Uses:							
Agriculture Related Supplies & Equipment		-	-	-	-		-
Alcoholic Beverage Outlets		-	-	-	-		-
Farmers Markets							
Weekly Farmers Markets		-	-	-	-		-
Daily Farmers Markets Stands		-	-	-	-		-
Plant Nurseries		-	-	-	-		-
Retail Farms		-	-	-	-		-
Swap Meets & Other Large Outdoor Retail Facilities		-	-	-	-		C ⁽⁷⁾
Commercial Services through Signs [No Change]							

Footnotes for Table 131-02B [No Change]

§131.0231 through §131.0260 [No Change]

Article 1: Base Zones
Division 3: Agricultural Base Zones

§131.0301 through §131.0320 [No Change]

§131.0322 Use Regulations Table for Agricultural Zones

The uses allowed in the agricultural zones are shown in Table 131-03B.

Legend for Table 131-03B [No Change]

Table 131-03B
Use Regulations Table of Agricultural Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG-		AR-	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
Open Space through Institutional [No Change]					
Retail Sales					
Building Supplies & Equipment		-		-	
Food, Beverages and Groceries		-		-	
Consumer Goods, Furniture, Appliances, Equipment		-		-	
Pets & Pet Supplies		-		-	
Sundries, Pharmaceuticals, & Convenience Sales		-		-	
Wearing Apparel & Accessories		-		-	
Separately Regulated Retail Sales Uses					
Agriculture Related Supplies & Equipment		C		C	
Alcoholic Beverage Outlets		-		-	
Farmers Markets					
Weekly Farmers Markets		-		-	
Daily Farmers Markets Stands		-		-	
Plant Nurseries		C		C	
Retail Farms		-		-	
Swap Meets & Other Large Outdoor Retail Facilities		-		C	
Commercial Services through Signs [No Change]					

Footnotes for Table 131-03B [No Change]

§131.0323 Additional Use Regulations of Agricultural Zones

The uses in this section are permitted within the agricultural zones as indicated subject to the regulations listed.

(a) [No Change]

(b) Horticulture nurseries are permitted subject to the following:

(1) Only plants are permitted to be sold on the *premises*. The sale of nonplant items requires a Conditional Use Permit for a plant nursery in accordance with Section 141.050~~34~~;

(2) through (3) [No Change]

§131.0330 through §131.0344 [No Change]

Article 1: Base Zones
Division 4: Residential Base Zones

§131.0401 through §131.0420 [No Change]

§131.0422 Use Regulations Table for Residential Zones

The uses allowed in the residential zones are shown in the Table 131-04B.

Legend for Table 131-04B [No Change]

Table 131-04B
Use Regulations Table of Residential Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator			Zones																												
	1st & 2nd >>			RE-			RS-														RX-		RT-									
	3rd >>			1-			1-														1-		1-									
	4th >>			1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4						
Open Space																																
Retail Sales																																

Urban Agriculture Regulations
Farmers Market & Retail Farms

ATTACHMENT 2
DRAFT-NOVEMBER 1, 2011

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																							
	1st & 2nd >>	RE-			RS-														RX-		RT-				
	3rd >>	1-			1-														1-		1-				
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4	
Building Supplies & Equipment	-	-																							
Food, Beverages and Groceries	-	-																							
Consumer Goods, Furniture, Appliances, Equipment	-	-																							
Pets & Pet Supplies	-	-																							
Sundries, Pharmaceuticals, & Convenience Sales	-	-																							
Wearing Apparel & Accessories	-	-																							
Separately Regulated Sales Uses																									
Agriculture Related Supplies & Equipment	-	-																							
Alcoholic Beverage Outlets	-	-																							
Farmers Markets																									
Weekly Farmers Markets	-	-																							
Daily Farmers Markets Stands	-	-																							
Plant Nurseries	-	-																							
Retail Farms	-	-																							
Swap Meets & Other Large Outdoor Retail Facilities	-	-																							
Commercial Services through Signs [No Change]																									

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	RM-											
	3rd >>	1-			2-			3-			4-		5-
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12
Open Space through Institutional [No Change]													
Retail Sales													
Building Supplies & Equipment	-												
Food, Beverages and Groceries	-								P ⁽⁸⁾		P ⁽⁸⁾		P ⁽⁸⁾
Consumer Goods, Furniture, Appliances, Equipment	-												
Pets & Pet Supplies	-												
Sundries, Pharmaceuticals, & Convenience Sales	-								P ⁽⁸⁾		P ⁽⁸⁾		P ⁽⁸⁾
Wearing Apparel & Accessories	-												
Separately Regulated Sales Uses													
Agriculture Related Supplies & Equipment	-												

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	RM-											
	3rd >>	1-			2-			3-			4-		5-
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12
Alcoholic Beverage Outlets		-			-			-			-		-
<u>Farmers Markets</u>													
<u>Weekly Farmers Markets</u>		-			-			-			-		-
<u>Daily Farmers Markets Stands</u>		-			-			-			-		-
Plant Nurseries		-			-			-			-		-
<u>Retail Farms</u>		-			-			-			-		-
Swap Meets & Other Large Outdoor Retail Facilities		-			-			-			-		-
Commercial Services through Signs [No Change]													

Footnotes for Table 131-04B [No Change]

§131.0423 through §131.0466 [No Change]

Article 1: Base Zones
Division 5: Commercial Base Zones

§131.0501 through §131.0520 [No Change]

§131.0522 Use Regulations Table of Commercial Zones

The uses allowed in the commercial zones are shown in Table 131-05B.

Legend for Table 131-05B [No Change]

Table 131-05B
Use Regulations Table for Commercial Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CN ⁽¹⁾			CR-		CO-		CV-		CP-
	3rd >>	1-			1-	2-	1-		1-		1-
	4th >>	1	2	3	1	1	1	2	1	2	1
Open Space through Institutional [No Change]											
Retail Sales											

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >> 3rd >> 4th >>	CN ⁽¹⁾			CR-		CO-		CV-		CP-
		1-			1-	2-	1-	1-	1-	1-	
		1	2	3	1	1	1	2	1	2	1
Building Supplies & Equipment		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	-		-		-
Food, Beverages and Groceries		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	P ⁽¹¹⁾		P ⁽¹¹⁾		-
Consumer Goods, Furniture, Appliances, Equipment		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	P ^(3,11)		-		-
Pets & Pet Supplies		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	-		-		-
Sundries, Pharmaceutical, & Convenience Sales		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	P ⁽¹¹⁾		P ⁽¹¹⁾		-
Wearing Apparel & Accessories		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	-		P ⁽¹¹⁾		-
Sundries, Pharmaceutical, & Convenience Sales		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	P ⁽¹¹⁾		P ⁽¹¹⁾		-
Wearing Apparel & Accessories		P ⁽¹¹⁾			P ⁽¹¹⁾	P ⁽¹¹⁾	-		P ⁽¹¹⁾		-
Separately Regulated Retail Sales Uses											
Agriculture Related Supplies & Equipment		-			P	P	-		-		-
Alcoholic Beverage Outlets		L			L	L	L		L		-
<u>Farmers Markets</u>											
<u>Weekly Farmers Markets</u>		<u>L</u>			<u>L</u>	<u>L</u>	<u>L</u>		<u>L</u>		<u>L</u>
<u>Daily Farmers Markets Stands</u>		<u>L</u>			<u>L</u>	<u>L</u>	<u>L</u>		<u>L</u>		<u>-</u>
Plant Nurseries		P			P	P	-		-		-
<u>Retail Farms</u>		<u>L</u>			<u>L</u>	<u>L</u>	<u>L</u>		<u>-</u>		<u>-</u>
Swap Meets & Other Large Outdoor Retail Facilities		-			C	C	-		C ⁽¹⁰⁾		-
Commercial Services through <i>Signs</i> [No Change]											

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																							
	1st & 2nd >>	CC-																							
	3rd >>	1-		2-		3-		4-				5-													
	4th >>	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5						
Open Space through Institutional [No Change]																									
Retail Sales																									
Building Supplies & Equipment		P ⁽¹¹⁾		P ⁽¹¹⁾		-		P ⁽¹¹⁾				P ⁽¹¹⁾													
Food, Beverages and Groceries		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾				P ⁽¹¹⁾													
Consumer Goods, Furniture, Appliances, Equipment		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾				P ⁽¹¹⁾													
Pets & Pet Supplies		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾				P ⁽¹¹⁾													
Sundries, Pharmaceutical, & Convenience Sales		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾				P ⁽¹¹⁾													
Wearing Apparel & Accessories		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾		P ⁽¹¹⁾				P ⁽¹¹⁾													
Separately Regulated Retail Sales Uses																									
Agriculture Related Supplies & Equipment		-		-		-		P				P													
Alcoholic Beverage Outlets		L		L		L		L				L													
Farmers Markets																									

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																		
	1st & 2nd >>	CC-																		
	3rd >>	1-			2-			3-			4-					5-				
	4th >>	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	
<u>Weekly Farmers Markets</u>		<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>					<u>L</u>				
<u>Daily Farmers Markets Stands</u>		<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>					<u>L</u>				
Plant Nurseries		P			P			P			P					P				
<u>Retail Farms</u>		<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>					<u>L</u>				
Swap Meets & Other Large Outdoor Retail Facilities		-			-			-			-					C				
Commercial Services through <i>Signs</i> [No Change]																				

Footnotes to Table 131-05B [No Change]

§131.0530 through §131.0556 [No Change]

Article 1: Base Zones
Division 6: Industrial Base Zones

§131.0601 through §131.0620 [No Change]

§131.0622 Use Regulations Table for Industrial Zones

The uses allowed in the industrial zones are shown in Table 131-06B.

Legend for Table 131-06B [No Change]

Table
131-06B
Use Regulations for Industrial Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones								
	1st & 2nd> >	IP-		IL-			IH-		IS-	
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-	
	4th >>	1	1	1	1	1	1	1	1	
Open Space through Institutional [No Change]										
Retail Sales										
Building Supplies & Equipment		-	-	P ^(6,15)	P ⁽¹⁵⁾	P ⁽¹⁵⁾	-	P ^(6,15)	P ⁽¹⁵⁾	
Food, Beverages and Groceries		-	-	-	-	P ⁽¹⁵⁾	-	-	-	
Consumer Goods, Furniture, Appliances, Equipment		-	-	-	P ^(2,15)	P ⁽¹⁵⁾	-	-	P ^(3,15)	

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones							
	1st & 2nd >>	IP-		IL-			IH-		IS-
	3rd >>>	1-	2-	1-	2-	3-	1-	2-	1-
	4th >>>	1	1	1	1	1	1	1	1
Pets & Pet Supplies	-	-	-	-	-	P ⁽¹⁵⁾	-	-	-
Sundries, Pharmaceuticals, & Convenience Sales	-	P ^(5,15)	P ^(5,15)	P ^(5,15)	P ^(5,15)	P ^(5,15)	P ^(5,15)	P ^(5,15)	P ^(4,15)
Wearing Apparel & Accessories	-	-	-	-	P ^(3,15)	P ^(3,15)	-	-	P ^(3,15)
Separately Regulated Retail Sales Uses									
Agriculture Related Supplies & Equipment	-	-	-	P	P	P	P	P	P
Alcoholic Beverage Outlets	-	-	-	-	L	-	-	-	-
<u>Farmers Markets</u>									
<u>Weekly Farmers Markets</u>	-	-	-	-	L	-	-	-	-
<u>Daily Farmers Markets Stands</u>	-	-	-	-	L	-	-	-	-
Plant Nurseries	-	-	-	-	P	-	P	P	P
<u>Retail Farms</u>	-	-	-	-	L	-	-	-	-
Swap Meets & Other Large Outdoor Retail Facilities	-	-	C	C	C	C	C	C	C
Commercial Services through Signs [No Change]									

Footnotes for Table 131-06B [No Change]

§131.0623 through §131.0665 [No Change]

Article 1: Separately Regulated Use Regulations
Division 5: Retail Sales Use Category--Separately Regulated Uses

§141.0501 through §141.0502 [No Change]

§141.0503 Farmer's Markets

Farmers' markets are establishments where farmers and other vendors sell produce and other goods directly to consumers. A farmers market may be either a weekly farmers market occurring outdoors or a daily farmers market stand. Weekly farmers markets conducted on public property, with the exception of daily farmers market stands in the public-right-of way, are not subject to this section.

Farmers markets are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Weekly farmers markets on private property shall comply with the following:
 - (1) A farmers market shall be limited to one event per week per location;
 - (2) Parking shall comply with the following:
 - (A) No additional parking shall be required;
 - (B) No more than 30 percent of required parking may be displaced; and
 - (C) Any parking reserved for handicapped access shall be replaced during the hours of the farmers market;
 - (3) Access to all entryways and all disabled access routes shall be maintained;
 - (4) There shall be no onsite cooking; and
 - (5) All required approvals shall be obtained from San Diego Fire and Rescue Department and the County of San Diego.
- (b) Daily farmers market stands shall comply with the following:
 - (1) Daily farmers market stands may operate seven days per week at a given location;
 - (2) Outdoor display areas shall comply with Section 142.1130 (Outdoor Display Regulations for Commercial Zones);
 - (3) No parking shall be required; and.
 - (4) No value added or prepared foods shall be sold.
 - (5) Daily farmers market stands on private property shall comply with the following in addition to the requirements of Sections 141.0503(b)(1) through 141.0503(b)(5):
 - (A) Written permission of the property owner to conduct the daily farmers market shall be available upon request; and

(B) No required parking shall be displaced.

(6) Daily farmers market stands located in the public right-of-way shall comply with the following in addition to the requirements of Sections 141.0503(b)(1) through 141.0503(b)(5):

(A) A Certificate of Insurance for a Public Liability Insurance Policy of at least \$500,000 shall be required;

(B) Written permission of the fronting property owner to conduct the daily farmers market shall be available upon request;

(C) The daily farmers market stand shall occupy an area no greater than five feet in depth and sixteen feet in length per commercial frontage;

(D) All required approvals shall be obtained from San Diego Fire and Rescue Department and the County of San Diego.

(E) The location of the daily farmers market stand shall comply with the following:

i. A minimum 4-foot wide clear path of sidewalk shall be maintained within the public right-of-way at all times;

ii. Access to adjacent uses shall be maintained at all times;

iii. The daily farmers market stand shall be located as close as feasible to the fronting property; and

iv. The daily farmers market stand shall not be located parallel to loading areas, transit stops, taxi zones, or areas designated for pedestrian loading and unloading.

§141.050~~34~~ Plant Nurseries

Plant nurseries may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (c) [No Change]

§141.0505 Retail Farms

Retail farms are establishments whose primary function is to produce and sell food and other related products on the same premises. A retail farm is an establishment where at least 75 percent of the products sold are produced onsite.

Retail farms are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) The maximum area inclusive of retail and farming areas shall not exceed 4 acres;
- (b) Use of pesticides is prohibited;
- (c) Seventy-five percent of the products sold must be generated onsite;
- (d) The hours of operation for the farm component shall be limited to the hours between sunrise and sunset as set forth by the National Oceanic and Atmosphere Administration for the San Diego area.
- (e) Parking shall comply with Chapter 14, Division 2, Article 5 (Parking Regulations).
 - (1) The retail component shall comply with the parking ratios for Retail Sales, Commercial Services, and Mixed use Development; and
 - (2) The farm component shall provide 1 parking space per employee working the farm during the largest shift.
 - (3) For a pick your own retail operation the retail parking ratio shall assume 1,000 square feet or retail space per acre of land farm.
- (f) All equipment shall be stored on site.
- (g) All storage, service, and repair areas shall be, located outside of all required setbacks, secured, and screened so that they are not visible from adjacent development and public rights-of-way.

§141.050⁴⁶ Swap Meets and Other Large Outdoor Retail Facilities

Swap meets and other large outdoor retail facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (f) [No Change]

Article 1: Planned Districts
Division 4: General and Supplemental Regulations

§151.0401 Uses Permitted in the Planned Districts

(a) through (c) [No Change]

(d) Conditional Use Permits/Process Three

Except as otherwise provided in the planned district, the following uses may be permitted with a Conditional Use Permit decided in accordance with Process Three, subject to the location restrictions and the Land Development Code section specified for each use.

(1) through (24) [No Change]

(25) Swap meets and other large outdoor retail facilities, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.050⁴⁶

(26) through (29) [No Change]

(e) through (f) [No Change]
